## DEATH BLOW TO BELMONT PLAN

RAPID TRANSIT BOARD PUTS OFF ELEVATED EXTENSION.

Commissioner Starin Announces His Opposition, and There's No Chance That the Application Will Be Granted -- Vote Not to Be Taken Until Fail.

The Interborough company's proposal to add a third track to the Second and Third avenue elevated lines was practically killed yesterday when, after a public hearing by the Rapid Transit Commission on the application, Commissioner John H. Starin announced that he would not vote for the elevated extensions.

Comptroller Grout is also or rosed to the scheme, and with Mr. Starin out only five votes are left under the most favorable conditions for the project, and six are required to pass it. It can be announced also that had a final vote been taken yesterday at least one other commissioner would have been found with Mr. Starin

and Mr. Grout. At the close of the hearing an executive session of the commission was held, and when the doors were again thrown open the announcement was made that the board had decided to defer action on the application until fall.

It was explained that the board had resolved upon this course in order to ascertain if the opening of the Westchester avenue extension of the Lenox avenue branch of the subway would not give the relief asked for by the residents of The Bronx. The tunnel under the Harlem River, which will join the Lenox avenue line with the elevated extension through Westchester avenue to the city limits, has been completed, and it is promised by the Interborough company that when the station at 149th street has been completed, about July 1, trains will be started running on the upper East Side branch of

the subway. It was learned also that another reason why the commission postponed action was the knowledge that the Board of Alcermen intend to test the constitutionality of the act taking from them their franchise granting powers. As this may mean long delay to the building of new subways, some of the commissioners thought it better not to reject at once the elevated exten-

It was immediately after the close of the public hearing that Mr. Starin made his statement. He said:

"In 1891 and 1892 the Manhattan Railway Company made earnest efforts to obtain from the then Board of Rapid Transit Railroad Commissioners, the predecessor of the present board, many extensive and valuable concessions in perpetuity. On June 1, 1893, by a peculiar coincidence. exactly twelve years ago to-day, the board voted unanimously, with one exception, to give to the Marhattan company these

priceless concessions.

"That one exception was myself.", I voted "No.," and the resolutions were de-"That one exception was myself, it voted "No," and the resolutions were defeated. All the Commissioners except myself thereupon resigned from the board, but su sequently were reappointed. I refer to these old transactions merely to recall the fact that my attitude was then stringly cpps sed to additional elevated structures, and I assumed this attitude hecause I believed then in the sulway as a hecause I lelieved then in the sul way as a permanent solution of cur transit ills. The point I want to make now is that if there was no doubt then as to the greater desiral ility of sul ways, there certainly ought to be none now, when the success of the first municipal rapid transit rails ad is still fresh in our minds and when we are from day to day laying out additional sul way lines to be owned by the city of New York.

When Mr. Starin had finished his announcement yesterday Commissioner Clafilin moved that further consideration of the

moved that further consideration of the Interborough application be put off until the fall. That course was ne essary if action were not to be taken yesterday, be-cause President Orr and Morris K. Jesup sail for Europe next week to stay all sum-

rany sought the right to make the Second avenue road a double deaked structure.

Vice-President E. P. Brvan of the Interborough company denied the assertions that the real purpose of the company was to block the building of more subways. He insisted that his company was acting in good faith and would be a bidder for the proposed new subways. William Barday Parsons, former chief engineer of the Rapid Transit Commission, but who is now allied with the Belmont interests, said that while he favored subways the city

that while he favored subways the city needed every possible in rease in its transit needed every possible in rease in its transit facilities, and the franchise asked for ly the Interborough company would give within a year another express route on the east side of the city. He added that forty ner cent, of the work of building the additional tranks had already been done. "Yes and that work has been done illegally, and to give you this franchise would legalize that work," interrupted Mr. Grout.

"I am an engineer, not a lawyer," Mr. Parsons replied.

Parsons replied.

Mr. Putnam, representing the New Haven
favor of the elevated Mr. Putnam, representing the New Haven Railroad, spoke in favor of the elevated extensions, as did President Bull of the New York, Westchester and Boston Railroad Company, and E. W. Bloomingdale of the Retail Dry Goods Association. Mr Bloomingdale said that it would take five or six years to build the subways, and it was imperative that the East Side should have quicker relief. Representatives of real estate interests in The Bronx and of several organizations of that borough spoke in the same vein.

spoke in the same vein.

Among the opponents of the project were representatives of the City Club, Merchants Association and numerous societies and organizations of the East Side. Frederic W. Hinrichs warned the commissioners that if they granted the application on the terms desired by the company, without adequate compensation and without provision for limiting the franchises, their action would be met by some such outburst of public sentiment as had recently been seen in Philadelphia. spoke in the same vein.

Although President Vreeland, Paul D. Cravath and John B. McDonald of the Metropolitan system were at the meeting none of them spoke, but Mr. McDonald handed this letter to the board

none of them spoke, but Mr. McDonald handed this letter to the board

My associates and 1 have jurposely refrained from taking part in the discussions before your board with respect to the varicus propositions which have been made from time to time for extensions of the elevated railroad lines, because it has seemed to us that the question whether the streets of New York should be occupied by additional elevated lines is so pectuarly a public question that the views of those who, like ourselves, have a financial interest in the rapid transit situation would not aid you in solving it.

I, however, fell that it is now my duty to say to you that I have concluded, after very careful consideration of the traffic conditions on the E st S de of the city that if your commission declars to authorize the construction of two additional longitudinal elevated lines I cannot advise my associates to bid for the proposed Lexington avenue—book to deconfined to the proposed Lexington avenue—fifth avenue—Brod way line.

You will readily understand that the cost that the number of such lines which any interest can afford to build n ust depend upon the amount of available traffic, and accordingly the building of an additional longitudinal elevated line must necessarily mean one less undergrounde rapid traffic and accordingly the building of an additional longitudinal elevated line must necessarily mean one less undergrounde an additional longitudinal elevated line for that the commission completed yesterday the work of formally adopting the reach.

The commission completed yesterday the work of formally adopting the resolu-

tions asking the consent of the local authorities to the routes which have been decided on for the new subways. Under the act which was signed last week by the Governor these resolutions will now go to the Board of Estimate instead of to the

Aldermen.
Comptroller Grout suggested when the matter came up that they should also be sent to the Aldermen. President Orr and George L. Bives, counsel to the commission, contended that this would be unwise, since it would put the commission in the light of questioning the legality of an act of the Legislature.

As Mr. Grout could not find a seconder for his motion, it was dropped, and the routes will be sent by the commission to

CUTTING ANSWERS DELANY.

Declares in Libel Suit That What He Said Was True and Privileged.

The answer of Robert Fulton Cutting. the Citizens' Union campaigner, to the complaint in the \$259,000 libel suit instituted against him by John J. Delany, Corporation Counsel, because of some uncomplimentary remarks afterward published made by Mr. Cutting about Delany at the last city convention of the Union, on April 13 was filed in the County Clerk's office yesterday. Mr. Cutting admits making certain derogatory remarks about Delany, but pleads justification and privilege.

Mr. Cutting's statements at the convention took the shape of declaring that Delany was Mayor McClellan's campaign man-ager at the last municipal election and that he had been appointed Corporation Counsel because of his success in obtaining contributions for the Tammany campaign fund from a number of corporations which have franchises in the city limits. They also touched upon the contracts held by also touched upon the contracts held by the New York Contracting and Trucking Company, with which the brother of Charles F. Murphy, the Tammany leader, is connected. Mr. Delany asserts that the effect of Mr. Cutting's reflections is to damage his reputation and injure his social and professional standing to the extent of \$250,-

Mr. Cutting, in his answer sets up that he bore not the slightest animosity or ill feeling bore not the slightest animosity or multiple that the remarks complained to Delany, and that the remarks complained of in his address to the members of the Citizens' Union were actuated solely by his desire to criticize honestly the present administration and its officers in their official acts. To that extent, he maintains, the ad-

acts. To that extent, he maintains, the address was a privileged statement, and furthermore, he adds, on information and belief the statements were true.

Mr. Cutting goes on to assert that his charge that Delany favored unduly certain franchised corporations is substantiated by the facts, particularly in the case of the Corsolidated Gas Company and other cor-porations that are in litigation with the city. porations that are in litigation with the city. He says that the claims legally held by the city against these corporations have not been diligently prosecuted and that the Corporation Counsel has neglected to press pending suits to recover moneys due the city from railroad and other corpora-tions for paving and street repairs, for car icense fees and for the percentage of earnto which the city is entitled under

Another part of Mr. Cutting's answer deals with the alleged failure of Mr. Delany to take some decisive action in the matter of removing the elevated roads from Bat-

Issue having been joined by the service of the answer, the suit may come up for an early trial, unless the Corporation Counsel elects to demur to Mr. Cutting's answer.

SEABOARD CO. AMENDS CHARTER. Raises Capital Strek to \$72,000,000-Plan of Consolidation.

THENTON, N. J., June 1.-The Seaboard Company filed with the Secretary of State to-day an amended charter increasing its capital stock from \$4,000 to \$72,000,000 and outlining the plan of consolidating the Seaboard Air Lines. Accompanying the amended certificate is an annual report of the company giving the following officers, whose terms will expire on June 1, 1906: President, Thomas Achenbach; vicepresident and secretary, William B. Denton;

treasurer, John G. Quinby. The total capital stock is to be divided into \$18,000,000 of first preferred, \$18,000,000 of second preferred non-cumulative stock and \$38,000,000 of common stock. The toard of directors has power in

sail for Europe next week to stay all summer.

Comptroller Grout and President Orroposed the motion. Mr Claim then proposed the executive session, and his suggestion was acted on. In the session he succeeded in carrying his point.

The meeting lasted more than three hours and was attended by representatives of almost every important civic and commer ial organization of this berough and The Bronx. The arguments for and arainst the granting of the application were for the most part a repetition of those which were heard when the Interborough company sought the right to make the Second avenue road a double decked structure.

Vice-President E. P. Bryan of the Interborough company denied the assertions that the real purpose of the company was to block the building of more subways. He insisted that his company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose of the company was acting in good faith and would be a hidder for the real purpose and assent to the modification of any such and assent to the modification of any such plan or to its alandonment. It is also provided that he shares of the Seaboard Air Line Railway held by the company shall not be voted by the directors for the merger or consolidation of any company other than the Atlanta and Birmington Air Line Railway or the Seaboard and Received Railway or the Seatoard and Roanoke Railroad Company or for the merger of any company other than these two in the Seatoard Air Line Railway except with the consent of the holders of 75 per cent. in amount of the capital stock of the com-

> ONE MORE EAT- EM-UP BOASTER. Eld Blink Arrested for Talking Too Much Around Chatham Square.

Louis Baletti, known as Kid Blink of arrested in connection with the murder of Eat-'Em-Up Jack McManus on the Bowery on May 25. Kid Griffo, Chick Bowery on May 25. Kid Griffo, Chick Tucker and Big Jack O'Brien were already in the House of Detention as witnesses.

Detectives found Blink in a saloon at 12 Pell street. He was taken before Magis-trate Finn in the Tombs police court and released in \$500 bail, furnished by State Senator Lio can, Thomas F. Foley's right Senator file can, Inchas F. Foley sight hand man. Foley said that the boys were just talking themselves into jail bragging that they knew who killed McManus.

The detectives say that Blink was boasting over the lars of Chatham Square that he had killed McManus and that the latter had shot him through the hat had shot him throu; h the hat.

## OBITUARY.

Dr. Lawrence C. Swift, medical examiner for central Berkshire county, Mass., and a prominent surgeon, died yesterday morning prominent surgeon, died yesterday morning in Pittsfield of cerebro-spinal meningitis. He was born in Geneva, N. Y., and was a son of Mcree Swift, a civil engineer, who helped lay out the Erie railroad. His grandfather, Col. Joseph Gardner Swift, was the first graduate of West Point and afterward superintendent of West Point from 1812 to 1817. Dr. Swift graduated from the College of Physicians and Surgeons of New York in 1878 and practised in Des Moines until 1886, when he returned East. He leaves a widow and three children.

returned East. He leaves a widow and three children.

One of the oldest residents of Chelsea Village, now the Sixteenth ward, died yesterday. He was Robert W. Benney of 410 West Twenty-fourth street. In middle age Mr. Benney was a leader in Republican politics, and he was a Baptist of some note at the tine of his death. Last December he celebrated the golden anniversary of his wedding to Elizabeth Colby. He was a retired decorative artist and the author of a book of poems. His age was 75 years.

Mrs. Jennie Heffernan, wife of James P. Heffernan of 49 South Oxford street, Brooklyn, president of the Heffernan Paper Company, died on Wednesday at the Skene Sanitarium in her fifty-ninth year. She was a daughter of the late Charles W. Mink of Syracuse. The funeral services will be held to-morrow afternoon at her late home.

Col. J. K. Ashby, 80 years old, the highest Mason in Texas, died yesterday at his home in Fort Worth. He was a Mexican War veteran.

PARISIANS CHEER ALFONSO.

PEOPLE SHOW REGRET AT THE ATTACK ON HIM.

Young King of Spain Showed Admirable Coolness When Anarchists Threw Bomb at Him-Other Bombs Found-King Attends Review of French Troops.

Special Cable Despatch to THE SUN. PARIS, June 1.-King Alfonso left the city this morning to review the troops at Chalons-sur-Marne, and received an ovation as he passed through the streets.

By all accounts King Alfonso behaved with perfect coolness last night when he and President Loubet had such a narrow escape from the bomb which was thrown at their carriage. It is reported that the King said to (apt. Scheider of the cuirassiers, who was thrown from his horse by th explosion of the bomb: "Are you wounded, Captain?" The Captain replied: "No, sire; it is nothing." "God grant that what you say is true!" said the King

It is also said that Capt. Garnier of the cuirassier escort, whose horse sheltered the King, was nearly unhorsed, but recovered himself and asked: "Sire, are you hurt?" The King arose from his seat and sat down again, smiling and shaking his head.

One report says he remarked: "I have received my baptism of fire without having been to war."

Marie Legrand, whose dress was peppered with fragments of the bomb, says she thinks that the missile came from the crowd on the street and not from a window. She was standing in the front row of the crowd. King Alfonso, who was saluting as the explosion occurred, jumped involuntarily, but immediately recovered his self-control. The horses of the royal carriage were

cut by fragments of the bomb, and the horse ridden by one of the Municipal Guards was killed. Ten persons were slightly hurt by the ex

plosion. A dismounted policeman had his legs broken.

President Loubet stayed a long time in the King's apartment, the King refusing to go to bed till he had heard that no one had been seriously hurt.

After King Alfonso had driven away from the scene an unexploded bomb was found in the Rue de Rivoli. The inhalitants of the quarter where the explosion occurred intend to present to King Alfonso a work of art as a token of their satisfaction at his escape.

The Municipal Council has sent a message to President Loubet requesting him to inform King Alfonso of the Communal Assembly's indignation at the attempt upon his

Barcelona with five bombs, determined upon killing King Alforso. Four of these archists were arrested and three of the bombs were found The failure to discover the other anarchists or bombs filled the French authorities with dread The four men arrested are named Vallina, Navarro, Palacio and Harvey. The first named three are Spaniards. Harvey is an Englishman. One of them has given information putting the police on the track of the actual thrower of the bomb. All the persons who were arrested on the spot on suspicion have been released

LONDON. June 2.- A despatch to the Morning Leader from Paris says that a Cutan of the name of Carlos Malata has been arrested. It is supposed that he was the instigator of the throwing of the bomb at King Alfonso and President Loubet.

MADRID, June 1 .- All day telegrams of sympathy with King Alfonso and congratulations upon his escape from the bomb explosion in Paris reached the Government from foreign rulers, including President Roosevelt. The outrage has caused a sensation in Spain and has evoked a remarkable loyalist demonstration and outcry against the Anarchists.

MOORISH SULTAN'S PLAN.

Rejects French Proposals and Wants an International Conference.

Special Cable Despatches to THE SUN. TANGIER, June 1 .- The Sultan of Morocco has informed the French Minister that he is unable to accept the French proposals. He will send a circular to the Powers, stating that he wishes the reforms proposed to have their consent. He suggests that an international conference be held.

PARIS, June 1 .- The Temps regret ully believes that the report that the Sultan of Morocco is disposed to appeal to an international conference is true. It considers this equivalent to a failure of Minister Taillandier's mission and Foreign Minister Delcasse's Moroccan policy and to the success of the Kaiser's intervention.

50,000 AT POPE'S MASS.

Plus X. Much Affected by News of Attempt on Alfonso's Life. Special Cable Despatch to THE SUN.

Rome. June 1.-This being Ascension Day, the Pope celet rated mass in St. Peter's. Fifty thousand persons were present. When the Pope was informed to-day of the attempt upon the life of King Alfonso in Paris Cherry fill, was added to the roll of those he said: "This takes away all my pleasure in this day."

CANAL ZONE COURT.

Gov. Magoon Names Native of Panama Chief Justice.

Special Cable Despatch to THE SUN. PANAMA, June 1 .- In accordance with a esolution of Congress that of the three Judges of the Supreme Court of the Canal Zone one should be a Panaman, Gov. Magoon has appointed Dr. Mutis Durar, a distinguished native lawyer, Chief Justice of the court.

Revolt in Argentina.

Special Cable Despatch to THE SUN. BUENOS AYRES, Argentine Republic, June -The newspaper Nacion reports that a revolutionary movement is in progress in the province of Santiago del Estero and that the insurgents have captured the

Archbishop of Belgrade Dead. Special Cable Despatch to THE SUN. BELGRADE, June 1 .- The Archbishop of Belgrude, metropolitan of Servia, died

Court Calendars This Day. Appellate Division—Supreme Court. Recess.
Sugreme Court—Special Term—Part I. Motion calendar called at 10:30 A. M. Part II.—Ez-parte matters. Part III.—2431, Biondi vs. Metropolitan Museum of Art. Case on. No day calendar.
Parts IV., V. and VI.—Adjourned for the term.
Trial Term—Parts II., III., IV., V., VI., VIII., VIII., IX., X., XI., XII. and XIII.—Adjourned for the term. IX., A., Al., All. and XIII.—Adjourned for the term.

Surrogates' Court—Chambers—Motion calendar called at 10:30 A. M.—For probate. Wills of George Hayden at 10 A. M. Annie V. Leary, Annie Harinschfeger, Marie Muller, Albert A. Davis, George Cunningham, Neille A. Brown, Coffman H. Meyer at 10:30 A. M.—Ellen Murphy, Hannab Clare, William H. Akin, Eliza Segeliken at 2:30 P. M.—Trial Term—No day calendar.

City Courf—Special Term—Court opens at 10 A. M. Motions. Trial Term—Parts I., II., III. and V.—Adjourned for the term. Part IV.—No day calendar.

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## FIVE TO WATCH RECEIVERS

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MERCHANTS TRUST STOCKHOLD-ERS APPOINT COMMITTEE.

Mr. Feitner Says the Expense of Two Receivers With a Lawyer Apiece Is Unjustified-Suit Against Directors Brought-Bankers Won't Bid for Assets

Stockholders of the Merchants' Trust Company, representing some 1,000 shares, neld a meeting at the Savoy Hotel last night and at the suggestion of Thomas L. Feitner, vice-president of the trust company, appointed a committee of five "to watch the receivers." The committee is also to look into the responsibility of the directors for the loans made.

"I have no hesitation in saying that the company was forced into the hands of the receivers," said Mr. Feitner to the stockolders, "by persons desirous of getting The Patrie says that the police were in- the Hudson Valley Railroad. If anybody formed that six anarchists had come from is to be sacrificed it will be the stockholders, and it is to your interest to see that the receivers ao not aispose of this property at such a price that it will require money om you to pay the depositors."

Mr. Feitner read an address in which he said that by a wrongful system of procedure a Supreme Court Justice outside of the city could appoint a number of receivers instead f one, and that such receivers could apoint any number of lawyers and employees, thereby devastating your property." Mr. Feitner said the expense of two receivers was absolutely unjustified and that the tockholders should protest.

A call was sent out yesterday for a meet-

ing of all directors, past and present, of the trust company, to be held at 4 o'clock this afternoon at the office of William B. Ellison, counsel for the company. All that Mr. Ellison would say was that the meeting was "for a free discussion of the affairs of the company." Invitations have been sent to Frank Gould, Edwin Hawley and Fisher, the promoter. The meeting is presumably called by the Langdon interests, for which Mr. Ellison has been acting. Friends of Mr. Gould said that he would certainly not attend the meeting or have anything more to do with the comwould remain away. President Phillips is likely to be absent on the advice of Mr.

The banking house which has been making an investigation of the company's assets with a view of bidding for them has decided not to make any offer. It refused to value the Hudson Valley securities at more than \$450,000 and the Rutland securities at more than \$450,000 and the Rutlan curities at more than \$200,000.

The first of the expected suits against directors of the trust company for accepting

deposits of the trust company for accepting deposits after, as it is alleged, they knew the company was insolvent, was legun yesterday by Charles W. Cooper, assignee, of a claim for \$5,548.88. Papers in the suit were served on President Phillips, Frederick P. Davis, secretary-treasurer; Dr. John P. Munn and Edwin Langdon. The National Discount Company against the National Discount Company assigned the claim, and it is set forth that the company made deposits on May 22, after the officers at a meeting had decided to close up the company. George W. Bristol of 20 Broad street, says that he has seventy-five more claims of the same kind.

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NO TRACE OF L. H. SOUTHWICK It Is Now Suspected That the Missing Man Met With Foul Play. GENEVA, N. Y., June 1 .- Nothing has

been learned of the fate of L. H. Southwick of New York, former owner of the Long Point Hotel on Senera Lake, who has b missing for the last month, but as the investigation proceeds the suspicion that

a certain person. resterday the police here were informed of the finding on May 6 of a rowboat at the foot of the lake which had drifted to that point. Another person reported the finding of an oar. This was thought to prove that the man had been drowned, but to-day two men from Dresden, Samuel Dunlap, a boat builder who had repaired Mr. Southwick's rowboat at one time, and Clarence Angus, came here and identified the boat and oar. Mr. Dunlap said the boat had been lying on the banks of a creek for two years and was entirely unseaworthy.

The opinion is that some one set the boat adrift to give the impression that Mr. Southwick had been capsized and drowned.



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